

#4  
11-1-07

**RESOLUTION NO.**

**WHEREAS**, the City of Austin ("City") on October 18, 2007, passed Ordinance No 20071018-008 electing to participate in the Texas Enterprise Zone Program, and the local economic development incentives available in Austin are the same on this date as were outlined in Ordinance No 20071018-008, and

**WHEREAS**, the Office of the Governor, Economic Development and Tourism ("OOGEDT") through the Economic Development Bank ("Bank") will consider the project proposed by Spansion LLC ("Spansion") as a triple jumbo enterprise project pursuant to a nomination and an application made by the City, and

**WHEREAS**, the City desires to pursue the creation of the proper economic and social environment in order to induce the investment of private resources in productive business enterprises located in the City and to provide employment to residents of enterprise zones and to other economically disadvantaged individuals, and

**WHEREAS**, pursuant to Chapter 2303, Subchapter F of the Texas Enterprise Zone Act, Texas Government Code (the "Act"), Spansion has applied to the City for designation as a triple jumbo enterprise project,

**WHEREAS**, Spansion meets the criteria for designation as a triple jumbo enterprise project under Chapter 2303, Subchapter F of the Act on the following grounds

- 1 Spansion is a "qualified business" under Section 2303.402 of the Act since it will be engaged in the active conduct of a trade or business at a qualified business site within the governing body's jurisdiction located in an enterprise zone and at least twenty-five percent (25.0%) of the business' new employees will be residents of an enterprise zone or economically disadvantaged individuals, and
- 2 There has been and will continue to be a high level of cooperation between public, private, and neighborhood entities within the area, and
- 3 The designation of Spansion as a triple jumbo enterprise project will contribute significantly to the achievement of the plans of the City for development and revitalization of the area

**WHEREAS,** the City will provide expedited permitting and inspection for the Spansion plant expansion, and

**WHEREAS,** the City finds that Spansion meets the criteria for an enterprise zone project and wishes to nominate Spansion as a triple jumbo enterprise project on the grounds that it will be located at the qualified business site and will create a higher level of employment, economic activity and stability, and

**WHEREAS**, the City Council finds that it is in the best interest of the City to nominate Spansion as a triple jumbo enterprise project pursuant to the Act, **NOW, THEREFORE**,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

- 1 The above recitals are adopted as findings of the City Council
- 2 Spansion is a “qualified business”, as defined in Section 2303 402 of the Act, and meets the criteria for designation as a triple jumbo enterprise project, as set forth in Section 2303, Subchapter F of the Act
- 3 The City Council nominates Spansion to the Office of the Governor, Economic Development and Tourism, through the Economic Development Bank, as a triple jumbo enterprise project that shall take effect on December 3, 2007 and terminate on December 3, 2012

**ADOPTED:** \_\_\_\_\_, 2007      **ATTEST:** \_\_\_\_\_  
Shirley A Gentry  
City Clerk